

DISTRICT COURT OF THE UNITED STATES  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:13CV24-RLV  
(5:05CR33-RLV-DCK-1)

PAUL WESLEY GAITHER, JR., )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

**ORDER**

UPON MOTION of the Government, (Doc. No. 16), to hold Petitioner's motion to vacate brought under 28 U.S.C. § 2255 in abeyance pending resolution of the appeal in United States v. Surratt, No. 14-6851, and to extend the time for filing of the Government's Response until 45 days from the issuance of the Fourth Circuit's mandate in Surratt,

IT IS HEREBY ORDERED that the Motion to Stay, (Doc. No. 16), is **GRANTED**.  
The Government's Motion for Extension of Time to Respond to Petitioner's Motion to Vacate, (Doc. No. 15), is **DENIED** as moot.

Signed: October 7, 2014



Richard L. Voorhees  
United States District Judge



